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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 14

Complete if Known

Application Number	07/827,906-Conf. #3375
Filing Date	January 30, 1992
First Named Inventor	Kenneth A. Barton
Art Unit	1638
Examiner Name	A. R. Kubelik
Attorney Docket Number	28079/41335

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1*	US-4,356,270	10-26-1982	Itakura	
	A2*	US-4,448,885	05-15-1984	Schnepf et al.	
	A3*	US-4,771,131	09-13-1988	Hermstadt et al.	
	A4*	US-4,943,674	07-24-1990	Houck et al.	
	A5*	US-5,082,767	01-21-1992	Hatfield et al.	
	A6*	US-5,250,515	10-05-1993	Fuchs et al.	
	A7*	US-5,254,799	10-19-1993	De Greve et al.	
	A8*	US-5,270,200	12-15-1993	Sun et al.	
	A9*	US-5,495,071	02-27-1996	Fischhoff et al.	
	A10*	US-5,496,732	03-05-1996	Smigocki et al.	
	A11*	US-5,500,365	03-19-1996	Fischhoff et al.	
	A12*	US-5,567,600	10-22-1996	Adang et al.	
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	A15*	US-5,689,052	11-18-1997	Brown et al.	
	A16*	US-5,763,241	06-09-1998	Fischhoff et al.	
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	A18*	US-5,880,275	03-09-1999	Fischhoff et al.	
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	A20*	US-6,180,774	01-30-2001	Brown et al.	
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	A26*	US-6,833,449	12-21-2004	Barton et al.	
	A27*	US-2001/0003819	06-14-2001	Barton et al.	
	A28*	US-07/285,925	12-19-1988		
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	A30*	US-07/286,087	12-19-1988		
	A31*	US-07/370,195	03-07-1989		

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	B1	AU-B-46881/89	06-21-1990	CIBA-GEIGY AG		
	B2	EP-0063949	11-03-1982	The Board of Regents of the University of Washington		
	B3	EP-0108580	05-16-1984	Standard Oil Company		✓
	B4	EP-0126546	03-30-1984	Lubrizol Genetics, Inc.		

Examiner Signature	/Anne Kubelik/	Date Considered	02/02/2009
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Sheet 2 of 14	Attorney Docket Number	28079/41335	

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	B5	EP-0140556	05-08-1985	Agrigenics Res. Ass.		
	B6	EP-0159884	10-30-1985	Agrigenetics Res. Ass.		
	B7	EP-0431829	06-12-1991	Agracetus, Inc.		
	B8	EP-0275957	07-27-1988	Hoeschst AG		
	B9	EP-0318143	05-31-1989	Lubrizol Genetics, Inc.		
	B10	EP-0359472	03-21-1990	Mycogen Plant Science, Inc.		
	B11	EP-0612848	08-31-1994	Sandoz Erfindungen Verwaltungsgesellschaft M.B.H.		
	B12	JP-63137684	05-09-1988	Sumitomo Chem. Co. Ltd.		
	B13	JP-1104177	04-24-1989	Sumitomo Chem. Co. Ltd.		
	B14	WO-8808880	11-17-1988	Ecogen, Inc.		
	B15	WO-9010076	09-07-1990	Monsanto Company		
	B16	WO-9015139	12-15-1990	Plant Genetics Systems, N.V.		
	B17	WO-9110725	07-25-1991	Biotechnica International, Inc.		✓
	B18	WO-9307278	04-15-1993	CIBA-GEIGY AG		✓

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ CITE NO.: Those application(s) which are marked with a single asterisk () next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(ii)) because that application was filed after June 30, 2003 or is available in the IFW. ² Applicant's unique citation designation number (optional). ³ See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

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	C1	Adami et al., "Adenovirus mRNA Processing - In a Regulated Manner a Splice Site Choice Dominates Over Selection of a Poly A Site Located in an Intron," <i>RNA Processing Meeting</i> , pp. 26, May 11-15 (1988).				
	C2	Adang et al., "Characterized Full-Length and Truncated Plasmid Clones of the Crystal Protein of <i>Bacillus Thuringiensis</i> subsp. <i>Kurstaki</i> HD-73 and their Toxicity to <i>Manduca Sexta</i> ," <i>Genes</i> , 35:289-300 (1985).				
	C3	Adang et al., "Engineering Crop Plants for Insect Resistance," <i>154th National American Assoc. Adv. Sci.</i> , pp.59, Feb. 11-15 (1988).				
	C4	Adang et al., "Expression of a <i>Bacillus Thuringiensis</i> Insecticidal Crystal Protein Gene in Tobacco Plants," <i>Mol. Strat. Crop Protec.</i> , 345-353 (1987).				
	C5	Adang et al., "The Reconstruction and Expression of a <i>Bacillus Thuringiensis</i> CryIIIA Gene in Proto-plasts and Potato Plants," <i>Plant Mol. Biol.</i> , 21:1131-1145 (1993).				
Examiner Signature	/Anne Kubelik/			Date Considered	02/02/2009	

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		Art Unit	1638
		Examiner Name	A. R. Kubelik
Sheet	3	of	14
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	C6	Aota et al., "Codon Usage Tabulated from the GenBank Genetic Sequence Data," <i>Nucl. Acids Res.</i> , 16(Supp): 1315-1402 (1988).	
	C7	Aronson et al., " <i>Bacillus Thuringiensis</i> and Related Insect Pathogens," <i>Microbiol. Rev.</i> , 50(1):1-24 (1986).	
	C8	Audtho et al., "Production of Chymotrypsin-Resistant <i>Bacillus Thuringiensis</i> Cry2Aa1 δ -Endotoxin by Protein Engineering," <i>Appl. Environ. Microbiol.</i> , 65(10):4601-4605 (1999).	
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	C18	Boudraa, "Coding Strategy Variation in the Plant System," <i>Genet. Sel. Evol.</i> , 19:143-154 (1987).	
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PTO/SB/08b (10-93)

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	C26	Caplan et al., "Introduction of Genetic Material into Plant Cells," <i>Science</i> , 222:815-821 (1983).	
	C27	Chilton et al., "Tailoring the Agrobacterium Ti Plasmid as a Vector for Plant Genetic Engineering," <i>Stadler Symposium</i> , 13:39-51 (1981).	
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	C31	Daar et al., "Premature Translation Termination Mediates Mammalian mRNA Degradation," <i>RNA Processing Meeting</i> , pp.45, May 11-15 (1988).	
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	C40	Diehn et al., "Problems That Can Limit the Expression of Foreign Genes in Plants: Lessons to be Learned from B.t. Toxin Genes," <i>18 Genetic Engineering</i> 83 (1996).	
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	C43	Ernst, "Codon Usage and Gene Expression," <i>TiBiotechnol.</i> , 6:196-199 (1988).	
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	C46	Fraley et al., "Use of a Chimeric Gene to Confer Antibiotic Resistance to Plant Cells," <i>Molecular Genetics of Plants and Animals, Miami Winter Symposium</i> , 22:211-221 (1983).	
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	C48	Fujimura et al., "Regeneration of Rice Plants from Protoplasts," <i>Plant Tissue Culture Lett.</i> , 2(2):74-75 (1985).	
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	C62	Graham et al., "Patterns in codon usage of different kinds of species," <i>Oxford Surveys in Evol. Biol.</i> , 3: 48-81 (1986).	
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Application Number	07/827,906-Conf. #3375
Filing Date	January 30, 1992
First Named Inventor	Kenneth A. Barton
Art Unit	1638
Examiner Name	A. R. Kubelik
Attorney Docket Number	28079/41333

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Art Unit	1638
Examiner Name	A. R. Kubelik
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Art Unit	1638
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		First Named Inventor	Kenneth A. Barton
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		Filing Date	January 30, 1992
		First Named Inventor	Kenneth A. Barton
		Art Unit	1638
		Examiner Name	A. R. Kubelik
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		Attorney Docket Number	28079/41338

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	C209	Annex I to Appendix A of Pazuniak's letter to Gass, Auxiliary Request I, EP 0 413 019, dated November 16, 2005.	
	C210	Annex II to Appendix A of Pazuniak's letter to Gass, Auxiliary Request I, EP 0 385 962, dated November 7, 2005.	
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	C215	Request for Opposition against European Patent EP-B-0 385 962 by Dow Agrosciences LLC, dated April 18, 2002.	
	C216	Request for Opposition against European Patent EP-B-0 385 962 by Syngenta Ltd, dated April 11, 2002.	
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